IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
GEORGE J. MURAKAWA, ET AL.	:	Group Art Unit: 1814
Filed: September 1, 1989	:	Examiner: M. Escallon
Serial No.: 07/402,450	:	
FOR: METHOD FOR AMPLIFICATION AND DETECTION OF RNA SEQUENCES	:	

RESPONSE TO COMMUNICATION MAILED JULY 9, 1993

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

The subject communication refuses entry of the Reply Brief filed May 7, 1993 on the ground that the Examiner's Answer raised no new grounds of rejection or no new points of argument. The Reply Brief purports to raise two new points of argument. In view of the July 9, 1993 communication and for reasons to be explained hereinafter, it is believed that the second point of argument is moot.

Applicants maintain the view that the first point of argument is properly raised in the Reply Brief, and an appropriate petition is concurrently filed.

With respect to the postulated second point of argument, the communication dated July 9, 1993 states:

> There were no new §112 rejections made in the Examiners's [sic] Answer. Further clarification was requested, which appellants have not done in the reply Brief.

Further consideration of the postulated second point of argument indicates a misunderstanding of the request for clarification. It now appears to counsel that the matter addressed by the Examiner's Answer focuses upon the words "preselected target sequence" in applicants' brief. It appears that the word "preselected" was found to be unclear because the sequences of the related primers and probes necessarily define the target sequence. It is agreed that the word "preselected" is inappropriate when so interpreted.

It is further pointed out, however, that the word "preselected" does not appear in the claim but only in the brief. The pertinent passage at page 7 of the brief is now corrected to read as follows:

> [T]he claimed invention requires simultaneous PCR amplification of viral RNA sample and at least one synthetic RNA sequence which does not include a target sequence.

Please note that this language accords with the language of step (ii)(b) of claim 18.

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